



# UNITED STATES PATENT AND TRADEMARK OFFICE

57  
UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/831,254

03/22/2002

Mervyn Stanley Curtis

3607WI-5

4542

7590

08/16/2005

Todd M Petersen  
SHERIDAN ROSS  
1560 Broadway  
Suite 1200  
Denver, CO 80202-5141

EXAMINER

WOO, STELLA L

ART UNIT

PAPER NUMBER

2643

DATE MAILED: 08/16/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/831,254

Applicant(s)

CURTIS ET AL.

Examiner

Stella L. Woo

Art Unit

2643

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 19-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 19-25 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-10, 19-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azima et al. (US 6,332,029, hereinafter "Azima").

Azima discloses a portable loudspeaker (loudspeaker 81; Figure 32) for use with a personal player (CD player 41), the portable loudspeaker comprising a sound generating unit in a housing (loudspeaker 81 comprises a transducer 9 in a housing body 85; see Figures 31-32).

Azima differs from claim 1 in that it does not specify that the housing body (85) is in the form of a CD box, tape cassette box, or a mini disc box. However, Azima does teach incorporating a loudspeaker within a box (111; Figure 53) in which the packaging can be shaped to enclose a compact disc (col. 45, lines 36-42) such that it would have been obvious to artisan of ordinary skill to adapt the housing body (85) depicted in Figure 31 to be shaped in the form of a CD box, as taught by Azima.

Regarding claims 2-8, 28, panelform member 40 can be considered as a lid which is hinged to box enclosure 85 (see Fig. 32; col. 40, lines 7-12).

Regarding claim 9, a second panelform member 40 is a second lid which houses a second loudspeaker 81 (see Figure 32).

Art Unit: 2643

Regarding claims 10, 27, 29, each panelform loudspeaker 40 comprises a distributed mode acoustic radiator (2) and transducer (9) (col. 40, lines 16-28).

Regarding claims 19-23, 26, 28, Azima discloses a loudspeaker (panelform loudspeaker 81) comprising an acoustic radiator (panel 2) and a transducer (9) for producing an acoustic output (col. 40, lines 23-26), the acoustic radiator comprising a first region and a second regions surrounding the first region, the first region being stiffer than the second region and having the transducer mounted on or in it (Azima teaches increasing the skin thickness in the area local to the transducer to reinforce the area and beneficially couple bending wave vibration inducing energy into the panel (col. 24, lines 40-46).

Regarding claim 23, since Azima teaches the first region being thicker than the surrounding region, it would have been well within the level of ordinary skill in the art to have the first region be at least 25% thicker than the second region in order to ensure the transducer area is sufficiently reinforced.

Regarding claims 24-25, Azima teaches enhancing bass performance of the loudspeaker by driving the panel (2) pistonically at low frequencies (col. 28, line 63 – col. 29, line 24).

3. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Azima in view of Park (US 5,349,575).

Azima differs from claims 11-12 in that it does not specify a radio receiver. However, Park teaches the desirability of incorporating a radio receiver (AM/FM tuner 25; Abstract; col. 1, lines 43-46; col. 4, lines 34-38) within a portable CD player such that it would have been obvious to an artisan of ordinary skill to incorporate a radio receiver, as taught by Park, within

the CD player of WO 97/09856 in order to provide the user with a selection of audio source options.

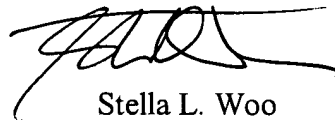
***Response to Arguments***

4. Applicant's arguments with respect to claims 1-12, 19-21 have been considered but are moot in view of the new grounds of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stella L. Woo whose telephone number is (571) 272-7512. The examiner can normally be reached on Monday-Tuesday, Thursday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Stella L. Woo  
Primary Examiner  
Art Unit 2643